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Crime prevention and criminal justice

Niger:* draft resolution

United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 69/198 of 18 December 2014, 70/180 of 17 December 2015 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[1]

Bearing in mind that weaknesses in crime prevention lead to subsequent difficulties at the level of crime control mechanisms, and bearing in mind also the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Aware of the devastating impact of new and more dynamic crime trends on the national economies of African States, such as the high levels of transnational organized crime being recorded in Africa, including the utilization of digital technology to commit all types of cybercrime, and aware also of illicit trafficking in cultural property, drugs, precious metals, rhinoceros horns and ivory, of piracy and money-laundering and of the fact that crime is a major obstacle to harmonious and sustainable development in Africa,

Deeply concerned about the growing links, in some cases, between some forms of transnational organized crime and terrorism, and recognizing that countering transnational organized crime and terrorism is a common and shared responsibility, and that criminal justice procedures will have to be more cost-

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] A/71/121.

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conscious, timely and expeditious and sensitive to public responses to minimize or eliminate any suspicion of compromise,

Emphasizing that combating crime is a collective endeavour to meet the global challenge of organized crime and that investment of necessary resources in crime prevention is important to that aim and contributes to sustainable development,

Noting with concern that in most African countries the existing criminal justice system does not have sufficiently skilled personnel and adequate infrastructure and is therefore ill-equipped to manage the emergence of new crime trends, and acknowledging the challenges that Africa faces in litigation processes and the management of correctional institutions,

Recognizing that the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders is a focal point for all professional efforts aimed at promoting the active cooperation and collaboration of Governments, academics, institutions and scientific and professional organizations and experts in crime prevention and criminal justice,

Bearing in mind the revised African Union Plan of Action on Drug Control and Crime Prevention (2013-2017), aimed at encouraging Member States to participate in and own the regional initiatives for effective crime prevention and good governance and strengthened justice administration,

Recognizing the importance of promoting sustainable development as a complement to crime prevention strategies,

Emphasizing the need to create necessary coalitions with all partners in the process of achieving effective crime prevention policies,

Welcoming the undertaking and conclusion of a preliminary diagnostic study by a consultant of the Economic Commission for Africa prior to the commencement of a full system-wide review process, including the significance of the Institute as a viable mechanism for promoting cooperation among the relevant entities to respond to the crime problem afflicting Africa,

Expressing concern over the continued absence of a director of the Institute, and noting the important role of such senior management positions in ensuring the normal functioning of the Institute,

Noting with concern that the financial situation of the Institute has greatly affected its capacity to deliver services to African Member States in an effective and comprehensive manner, and noting that one of the findings of the preliminary diagnostic study is that the Institute urgently needs to increase its income,

Recalling the detailed description provided in the report of the Secretary-General of funding deficiencies that have severely undermined the Institute's capacity to serve the needs of the region, and recognizing that crime results in the expenditure of a significant amount of resources,

Bearing in mind that the Institute is an important component of the United Nations crime prevention and criminal justice network, and that without the necessary funds, the Institute will fail to accomplish its vital goals of combating drug trafficking, cybercrime and environmental crimes, among other challenges, as

well as its goals of reforming the crucial deficiencies in the region's prosecution system and building effective and strong alliances among law enforcement personnel, professional bodies, academic institutions, individual communities, experts and traditional and civil authorities in order to proactively prevent crime,

Acknowledging the Member States and organizations that have maintained their commitment to the fulfilment of their financial obligations,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote, coordinate and carry out more activities within its core mandate, including regional technical cooperation related to crime prevention and criminal justice systems in Africa, despite the resource constraints under which it is operating;

2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including those contained in the revised African Union Plan of Action on Drug Control and Crime Prevention (2013-2017), on strengthening the rule of law and criminal justice systems in Africa;

3. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

4. *Also reiterates* the benefits, in some cases, of the utilization of alternative remedial measures, where appropriate, applying standards of ethical conduct and using local traditions, counselling and other emerging correctional rehabilitation measures, consistent with the obligations of States under international law;

5. *Notes* the efforts of the Institute to establish contacts with organizations in those countries which are promoting crime prevention programmes and its maintenance of close links with regional and subregional political entities, such as the African Union Commission, the East African Community, the Commission of the Economic Community of West African States, the Intergovernmental Authority on Development and the Southern African Development Community;

6. *Encourages* the Institute, in cooperation with relevant United Nations agencies, to take into account the various planning authorities in the region that focus attention on the coordination of activities that promote development based on sustainable agricultural production and preservation of the environment in developing its crime prevention strategies;

7. *Urges* States members of the Institute that have failed to meet their financial pledges to the Institute to pay all or part of those outstanding arrears, taking into consideration that member States are to fund 73 per cent of the approved budget;

8. *Welcomes* the report of the Governing Board of the Institute, convened in Lilongwe on 29 May 2015, which outlines the positive conclusion of the review process aimed at reinvigorating the Institute and discusses measures to address the decline in financial support for the programmes of the Institute;

9. *Also welcomes* the introduction by the Institute of a cost-sharing initiative in its execution of various programmes with Member States, partners and United Nations entities;

10. *Urges* all Member States and non-governmental organizations and the international community to continue to adopt concrete practical measures to support the Institute in the development of the requisite capacity and in the implementation of its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

11. *Urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[2] as well as the United Nations Convention against Corruption;[3]

12. *Encourages* African States that are not yet members of the Institute to consider becoming member States in order to strengthen the fight against crime and terrorism, which hamper individual and collective development efforts on the continent;

13. *Commends* the continued support provided by the Government of Uganda as host country, including resolving the issue of the ownership of the land on which the Institute is located and facilitating the Institute's collaboration with other stakeholders within Uganda and the region and with international partners;

14. *Also commends* the efforts of the Institute in implementing several programmes in the region, which have contributed, inter alia, to a growing set of coordinated remedial responses to crime on the basis of technical support in facilitating mutual assistance by law enforcement agencies and the emergence of regional jurisdictions;

15. *Welcomes* the initiative of the Institute to collaborate with selected universities to operationalize the link between criminal justice authorities and sources of traditional justice, so as to harmonize the use of restorative practices;

16. *Encourages* the Institute to consider focusing on specific and general vulnerabilities of each programme country and to maximize the use of available initiatives to address crime problems with existing funds, as well as available capacity, by creating useful coalitions with regional and local institutions;

17. *Requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core Professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

18. *Requests* the United Nations Office on Drugs and Crime to continue to work closely with the Institute, and requests the Institute to provide the annual report on its activities to the Office as well as to the Economic Commission for Africa Conference of African Ministers of Finance, Planning and Economic Development;

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[2] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

[3] Ibid., vol. 2349, No. 42146.

19. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

20. *Also requests* the Secretary-General to submit a report to the General Assembly at its seventy-second session with a specific focus on the current and future structural, financial, administrative and operational aspects of the Institute, giving due consideration to intensifying efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate, bearing in mind that the precarious financial situation of the Institute greatly undermines its capacity to deliver services effectively.